

Original sponsor: Anderson

Offered: 5/6/80  
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 665

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to late applications for limited entry  
7 permits; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. FINDINGS. The legislature finds that

10 (1) many persons who were otherwise qualified for limited entry  
11 permits have not received permits solely because of their failure to submit  
12 an application to the Alaska Commercial Fisheries Entry Commission before the  
13 closing date for applications set by the commission in accordance with  
14 AS 16.43.260(b);

15 (2) in order to prevent economic distress among fishermen and  
16 their dependents, to regulate entry into the commercial fisheries without  
17 unjust discrimination, and to ensure that permits are awarded on the basis of  
18 hardship, as defined in AS 16.43.250, it is necessary to ensure that persons  
19 eligible for permits are not denied permits solely because of a failure to  
20 apply in a timely fashion.

21 \* Sec. 2. APPLICATIONS FOR LIMITED ENTRY PERMITS. Notwithstanding the  
22 provisions of AS 16.43.260 relating to closing dates for application periods,  
23 the Alaska Commercial Fisheries Entry Commission shall accept applications  
24 for limited entry permits, for those fisheries for which the application  
25 periods have closed, from all persons who meet the eligibility requirements  
26 of AS 16.43.260(a) but who failed to apply for limited entry permits for the  
27 fisheries within the time period established by the Alaska Commercial Fish-  
28 eries Entry Commission for the fisheries. Persons who have previously sub-  
29 mitted applications to the Alaska Commercial Fisheries Entry Commission after

1 the closing dates of the application period for the fisheries, but before the  
2 effective date of this Act shall be considered to have applied under this  
3 section. The application period established in this section shall open on  
4 the effective date of this Act and shall close on December 31, 1980. The  
5 Alaska Commercial Fisheries Entry Commission shall process applications  
6 received under this section as if they had been submitted during the applica-  
7 tion period set by the commission, except that the commission shall afford an  
8 additional reasonable period of time for the submission of supporting evi-  
9 dence. Applications received under this section for a fishery may not be  
10 processed until the commission has substantially completed processing those  
11 applications for that fishery which were received before the closing date of  
12 the application period established by the commission for that fishery.

13 \* Sec. 3. ISSUANCE OF LIMITED ENTRY PERMITS TO APPLICANTS. The Alaska  
14 Commercial Fisheries Entry Commission shall process applications received  
15 under sec. 2. of this Act in accordance with regulations applicable to the  
16 fishery into which entry is sought except as otherwise provided in sec. 2 of  
17 this Act. The Alaska Commercial Fisheries Entry Commission shall issue  
18 permits to persons applying under this Act who demonstrate hardship equal to  
19 that shown by persons previously issued permits. However, the Alaska Commer-  
20 cial Fisheries Entry Commission may not issue permits under this Act to  
21 persons ranked in the priority classification under AS 16.43.250(c) of appli-  
22 cants who would suffer only minor economic hardship by exclusion from the  
23 fishery. The Alaska Commercial Fisheries Entry Commission may issue permits  
24 in excess of the maximum number of permits established for a fishery under  
25 AS 16.43.230 - 16.43.240 for the purposes of this section. This section does  
26 not authorize the Alaska Commercial Fisheries Entry Commission to revoke a  
27 permit previously issued.

28 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
29 070(c).